

Remarks

In the Final Office Action dated September 22, 2008, the following rejections are present: claims 1-12 stand rejected under 35 U.S.C. § 112(2); claims 1-12 stand rejected under 35 U.S.C. § 103(a) over the Cohn reference (US Patent No. 6,317,791) in view of the Cromer reference (US Patent No. 6,304,899). Applicant traverses all of the rejections and, unless explicitly stated by the Applicant, does not acquiesce to any objection, rejection or averment made in the Office Action.

Applicant respectfully traverses each of the rejections under 35 U.S.C. § 103(a) over the Cohn reference in view of the Cromer reference because the Cromer reference does not teach nor suggest what the Examiner asserts. The Cromer reference teaches a method for waking remote computers over a wireless connection such as over a local-area-network (LAN) (*see, e.g.,* col. 3, line 37 *et seq.*). The remote computers wake in response to either a universal identifier or a unique identifier (*see, e.g.,* col. 3, line 44-col. 4, line 21). Applicant's review of the Cromer reference fails to find any support for the Examiner's assertion that Cromer teaches "playing, during said booting, multimedia content transmitted by said third party device." Respectfully, Applicant is unable to ascertain how the Examiner believes that waking up remote computers corresponds, in any manner, to playing multimedia content transmitted by a third-party device. Figure 3 shows generic hardware of a computer. Applicant has reproduced the entire textual-passage relied upon by the Examiner, col. 8, lines 23-36:

4. The method according to claim 3, further comprising the step of in response to a receipt of said wake command including said first identifier by said particular one of said plurality of client computer systems, powering-on only said particular one of said plurality of client computer systems, booting only said particular one, and establishing an association with only said particular one as a client with said server computer system wherein said particular one of said plurality of client computer systems boots from said server computer system, wherein no others of said plurality of client computer systems boot in response to a receipt of said wake command including said first identifier.

The above passage discusses a wake command that causes a client computer to power-on and boot. Respectfully, Applicant can find nothing in the above passage that relates to or that discusses playing, during booting, multimedia content transmitted by a third party device. Accordingly, Cromer does not cure the deficiencies of the Cohn

reference and therefore the rejections are improper. Applicant respectfully requests that the rejections be withdrawn.

Applicant respectfully traverses the rejection under 35 U.S.C. § 112(2). The basis for the rejection is unclear. The Examiner appears to be of the opinion that it is unclear how one can boot a computer and play content at the same time. This, however, is not a proper basis for a rejection under 35 U.S.C. § 112(2) because the Examiner has articulated a reason for why the language is indefinite. Instead, the Examiner has only demonstrated an inability to understand the technical details on how to implement a system that corresponds to the claim limitations. Respectfully, the Examiner has implicitly acknowledged understanding of the claim scope in the rejection by reciting the claim scope in question. The claim limitations are not indefinite simply because the Examiner does not understand how a skilled artisan would build an embodiment of a claim. Notwithstanding, Applicant notes that an explanation of how to implement embodiments for displaying media content while booting is provided in Applicant's specification (*see, e.g.*, FIG. 2 and paragraph 24 *et seq.*).

Regarding the Examiner's unsupported contention that a "processor arrangement for booting" is indefinite and unclear, the Examiner has not articulated any reason for such a position. Respectfully, a processing arrangement for booting is a processing arrangement that boots, for example a processor and configured storage medium that allow the processing arrangement to boot upon startup. Applicant notes that without an articulated reason for the assertion of indefiniteness, Applicant has not been afforded an opportunity to respond to any, as yet undisclosed, rational for the rejection. Accordingly, Applicant requests that the rejection be withdrawn or, after clarification by the Examiner, Applicant be granted an opportunity to respond by withdrawal of the Finality of the Rejection as allowed under M.P.E.P. 706.07(d).

In view of the remarks above, Applicant believes that each of the rejections/objections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Aaron Waxler, of NXP Corporation at (408) 474-9068.

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